

59TH LEGISLATURE—REGULAR SESSION

PROPOSED CONSTITUTIONAL AMENDMENT—CHARITABLE
ORGANIZATIONS—TAX EXEMPTION

S. J. R. No. 7

Proposing an Amendment to the Constitution of the State of Texas providing for the exemption from local ad valorem taxes of the property of certain charitable organizations, provided such organizations meet certain conditions and requirements and expend at least One and One-half Million Dollars (\$1,500,000.00) annually on free medical and hospital care for the indigent within the State of Texas; providing for the necessary election, form of ballot, proclamation and publications.

PREAMBLE

WHEREAS, The Legislature finds and declares that there is a need for the operation of hospitals by private charitable enterprises which will furnish free medical and/or hospital care for the indigent in Texas; and

WHEREAS, The operation of such hospitals and the furnishing of such free medical care and hospitalization for the indigent in Texas will add to the welfare and well-being of the State of Texas and its residents and citizens; and

WHEREAS, The need for the operation of such hospitals and the furnishing of such free medical care and hospitalization for the indigent is especially great in counties having a population in excess of one million two hundred forty thousand (1,240,000); and

WHEREAS, It is found and declared to be the Public Policy of the State to foster and encourage such operation of hospitals as aforesaid; now, therefore,

Be it resolved by the Legislature of the State of Texas:

Section 1. The Constitution of the State of Texas is amended hereby, by the addition of a new Section to Article VIII thereof, to be numbered Section 2-A, and reading as follows:

"2-A. The properties of any charitable trust or organization, if such trust or organization is dedicated to, and operates a hospital furnishing free hospital and/or medical care for the indigent within the State of Texas, shall be exempt from all ad valorem taxes levied by any taxing entity, except by the State of Texas itself, provided:

"(1) such trust or organization has expended for free hospital and/or medical care within the State of Texas, during the calendar year next preceding, a sum of not less than One and One-half Million Dollars (\$1,500,000.00); and, further provided,

"(2) after such exemption has been in force and effect for one full calendar year, the amount expended for free hospital and/or medical care, within the State of Texas, amounts to not less than One Million Eight Hundred Thousand Dollars (\$1,800,000.00) for the calendar year next preceding; and, further provided,

"(3) such trust or organization is exempt from United States income taxes;

"(4) such charitable trust or organization maintains its domicile and operates a hospital or hospitals in a county having a population of more than one million two hundred forty thousand (1,240,000) according to the last preceding Federal Census, and such exemption shall apply only to the properties of such charitable trust or organization located within the county of its domicile.

"Proof of compliance with all applicable conditions stated above, shall constitute a complete defense to any suit for ad valorem taxes levied or attempted to be levied by any taxing entity other than the State of Texas itself.

"This Amendment shall be self-enacting."

PROPOSED CONSTITUTIONAL AMENDMENTS

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1965, at which election all ballots shall have printed thereon the following:

FOR the Amendment exempting the property of certain charitable organizations from local ad valorem taxes provided any such organization meets certain conditions, and expends at least One and One-half Million Dollars (\$1,500,000.00) annually for free hospital and medical care for the indigent within the State of Texas.

AGAINST the Amendment exempting the property of certain charitable organizations from local ad valorem taxes provided any such organization meets certain conditions, and expends at least One and One-half Million Dollars (\$1,500,000.00) annually for free hospital and medical care for the indigent within the State of Texas.

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and Laws of this State.

Passed the Senate on March 16, 1965: Yeas 28, Nays 2; passed the House on March 31, 1965: Yeas 139, Nays 0.

Signed by the Governor April 13, 1965.

PROPOSED CONSTITUTIONAL AMENDMENT—EXECUTIVE OFFICES—TERMS

S. J. R. No. 14

Proposing Amendments to Sections 4, 22 and 23 of Article IV of the Constitution of the State of Texas, so as to provide a four-year term of office for the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office and Secretary of State; and certain statutory state officers; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

Resolved by the Legislature of the State of Texas:

Section 1. That Section 4, Article IV of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 4. The Governor shall be installed on the first Tuesday after the organization of the Legislature, or as soon thereafter as practicable, and shall hold his office for the term of four years, or until his successor shall be duly installed. He shall be at least thirty years of age, a citizen of the United States, and shall have resided in this state at least five years immediately preceding his election."

Sec. 2. That Section 22, Article IV of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 22. The Attorney General shall hold office for four years and until his successor is duly qualified. He shall represent the state in all suits and pleas in the Supreme Court of the state in which the state may be a party, and shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the state, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or col-